IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 1757 (S/S) of 2007

Harish Lal Verma S/o Late Ganga Lal Verma
R/o Lok Vihar Colony, Rudrapur
District –Udham Singh Nagar ------Petitioner

Versus

1. State of Uttarakhand through Additional Secretary Urban Development, Civil Secretariat, Dehradun
2. Director, Urban Development Department, District Dehradun
3. Sri Gopal Krishna Diwedi, Director Local Bodies, State of Uttarakhand, Dehradun

.....Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Sharad Sharma, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. Issue an appropriate direction in the nature of certiorari quashing the impugned order dated 29.11.2007 passed by the respondent no.1 annexed as Annexure No. 15 to the writ petition.

2. Issue a writ, order or direction, which this Hon'ble Court may deem fit and proper under the circumstances of the case.

3. Award the cost of the petition.

The stand of the petitioner is that he was posted as Executive Officer, Nagar Palika Parishad, Tanakpur. Learned counsel for the petitioner has submitted that for a period during which he was in possession of a Government accommodation and

for which a sum of Rs. 150/- was being deducted from his salary as house rent of the accommodation occupied by the petitioner, now the respondents have passed an order to deposit a sum of Rs. 12,676/- as the difference of amount of his rent which the petitioner has paid, and which should have been deducted by the authority.

Learned Standing Counsel for the respondents has submitted that after audit objection, the mistake was realized and the difference of rent was deducted from each and every employee of the department. The petitioner was also expected to deposit the difference of amount, however, he has not complied the order passed by the superior authority, consequently, the superior authority passed the suspension order dated 29.11.2007, which is impugned in the writ petition.

After going through the writ petition and the various documents annexed along with the writ petition, I am of the opinion and it will be in the interest of justice that the suspension order shall stand revoked on the date the petitioner deposits the difference of amount, i.e., Rs 12,676/- which is required to be deposited by him vide impugned order dated 29.11.2007 passed by respondent no.1.

With this direction, the writ petition is finally disposed of. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

13.12.2007
VKS